

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 23-22398-CIV-ALTONAGA/Damian

GOLDEN EXOTICS, LLC,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

/

ORDER

THIS CAUSE came before the Court on the United States' Response in Opposition to Golden Exotics, LLC's Motion for Return of Property to Rule 41(g) [ECF No. 12]. In the Response, docketed as a motion, the Government requests a change of venue to the United States District Court for the District of Puerto Rico. (*See id.*). Local Rule 7.1(a)(3) of the U.S. District Court for the Southern District of Florida provides:

Prior to filing any motion in a civil case, . . . counsel for the movant shall confer (orally or in writing), or make reasonable effort to confer (orally or in writing), or make reasonable effort to confer (orally or in writing), with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve by agreement the issues to be raised in the motion. . . . At the end of the motion, and above the signature block, counsel for the moving party *shall certify* [in accordance herewith.]

Id. (alterations and emphasis added). The Rule further states that “[f]ailure to comply . . . may be cause for the Court to grant or deny the motion and impose on counsel an appropriate sanction” *Id.* (alterations added). Defendant has failed to certify that it conferred or made reasonable efforts to confer with Plaintiff regarding its Request. Therefore, it is

ORDERED AND ADJUDGED that the Request [ECF No. 12] is **DENIED**
WITHOUT PREJUDICE.

CASE NO. 23-22398-CIV-ALTONAGA

DONE AND ORDERED in Miami, Florida, this 31st day of July, 2023.


CECILIA M. ALTONAGA
CHIEF UNITED STATES DISTRICT JUDGE

cc: counsel of record